

Application No.: 09/960,306

Docket No.: 20272-00688-US

REMARKS/ARGUMENTS

Bearing in mind the comments in the Final Official Action and the amendments submitted in this amendment, the application is believed to be in condition for allowance. An early indication of the same would be appreciated.

Withdrawal of the objection to claims 1 and 5 is requested. These claims have been amended in a manner which is responsive to the stated bases for objection. No new matter is involved by any claim amendment.

Further, Applicant submits that the amendments to claims 1 and 5 do not present any new issue which would require further search and consideration, as the claim amendments have been made in a good-faith effort to respond to the Examiner's objections, which appear to have also contemplated circumferential spacing of the wires, rather than only linear spacing.

Withdrawal of the rejection of claims 1-5 and 11-13 under 35 U.S.C. §102(b) as being anticipated by Bonhomme (US 4,203,647) is requested. The applied art does not disclose every claimed feature of the recited invention.

Applicant notes that anticipation requires the disclosure, in a prior art reference, of each and every limitation as set forth in the claims.¹ There must be no difference between the claimed invention and reference disclosure for an anticipation rejection under 35 U.S.C. §102.² To properly anticipate a claim, the reference must teach every element of the claim.³ "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference".⁴ "The identical invention must be shown in

¹ *Titanium Metals Corp. v. Banner*, 227 USPQ 773 (Fed. Cir. 1985).

² *Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 USPQ2d 1001 (Fed. Cir. 1991).

³ See MPEP § 2131.

⁴ *Verdegaal Bros. v. Union Oil Co. of Calif.*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Application No.: 09/960,306

Docket No.: 20272-00688-US

as complete detail as is contained in the ...claim."⁵ In determining anticipation, no claim limitation may be ignored.⁶

By way of background, the present application, in a preferred embodiment, is directed to a socket which has a plurality of resilient wires arranged in a hyperboloid fashion. These wires are exposed for contact with a contact member inserted within the socket. These wires are further arranged in groups of at least two wires where the circumferential spacing of the wires in the group is closer than the circumferential spacing of the groups from one another.

The socket shown in Figures 10 and 11 of the Bonhomme reference US 4203647 has eight resilient contact wires 3 arranged in a hyperboloid fashion and attached to the inner surface of rings 6 and 7. These wires 3 are arranged to contact a pin inserted within the socket and are equally spaced from one another around the socket. Additionally, the '647 socket has three non-resilient distance wires 18 (Col 5 lines 39 to 55) attached to the outside of the rings 6 and 7. These serve an entirely mechanical function of retaining the rings 6 and 7 in the desired position relative to one another.

It would appear from the sketches supplied by the Examiner that he has made a notional "group" of wires from one of the resilient contact wires 3, and from one of the non-resilient distance wires 18. Applicant submits that the Examiner should not, under any reasonable or fair interpretation, included distance wires 18 in such a group.

First of all, distance wires 18 are not contacted by any contact inserted within the socket, because they are spaced outwardly of the true contact wires 3. Second, the '647 specification makes it clear that these distance wires 18 are not resilient in the manner required by the claims of the present application.

The applied art does not disclose all the claimed features of Applicant's invention. In particular, the applied art does not disclose an electrical socket which includes, among other

⁵ *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

⁶ *Pac-Tex, Inc. v. Amerace Corp.*, 14 USPQ2d 187 (Fed. Cir. 1990).

Application No.: 09/960,306

Docket No.: 20272-00688-US

features, "...a plurality of wires...wherein said wires are arranged in groups...wherein a circumferential spacing of said wires in each group is closer than a circumferential spacing between each adjacent pair of said groups, and wherein the circumferential spacing between each adjacent pair of groups is free of any wires", as recited in independent claim 1, as amended.

In addition, the applied art does not disclose an electrical socket which includes, among other features, "...a first pair of resilient contact wires...a second pair of resilient contact wires...said second pair of wires being circumferentially spaced around the socket from said first pair...a third pair of resilient contact wires...said third pair of wires being circumferentially spaced around the socket from said first and second pairs and being attached with said first and second support members at opposite ends such that the three pairs of wires make a hyperboloid arrangement...wherein a circumferential spacing between adjacent wires in each of the first and second pairs of wires is less than a circumferential spacing between each of the three pairs of wires...wherein the circumferential spacing between any adjacent pair of wires is free of any wires", as recited in independent claim 5, as amended.

Accordingly, Applicant submits that the applied art does not disclose each of the claimed features. Therefore, withdrawal of the rejection and allowance of independent claims 1 and 5 are respectfully requested. Allowance of dependent claims 2-4 and 11-13, depending from allowable independent claim 1, is also requested.

In view of the above, each of the presently pending claims 1-5 and 11-13 in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 20272-00688-US from which the undersigned is authorized to draw.

The Examiner is respectfully requested to enter this Amendment After Final, in that it

Application No.: 09/960,306

Docket No.: 20272-00688-US

raises no new issues, but merely places the claims in a form more clearly patentable over the references of record. In the alternative, the Examiner is respectfully requested to enter this Amendment After Final in that it reduces the issues for appeal.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185.

Respectfully submitted,

By

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